

EXHIBIT “D”

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September 30, 2013

Via E-Mail and U.S. Mail

William R. Sherman, Esq.
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Washington, D.C. 20004

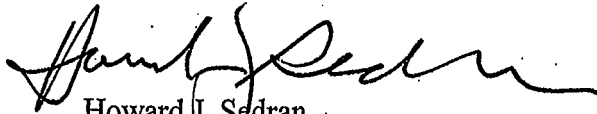
Re: *In re Air Cargo Shipping Services Antitrust Litigation*, MDL No. 1775

Dear Bill:

You have not responded to my letter of September 13, 2013, attached hereto.

Please promptly let me know Defendants' position. If we cannot reach agreement on this, we will file appropriate papers with the Court.

Very truly yours,


Howard J. Sedran

/kl

cc: Plaintiffs' Counsel

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Re: *In re Air Cargo Shipping Services Antitrust Litigation*, MDL No. 1775

Dear Bill:

The parties have had several discussions about Plaintiffs' possible need to take additional depositions to establish authenticity and foundation for documents to which Defendants raise objection. The need to take any of these depositions remains uncertain until the Defendants can tell us whether they will lodge foundation objections to documents Plaintiffs identify as possible trial exhibits.

Accordingly, Plaintiffs propose that after December 31, 2013 (the end of fact discovery) we identify those documents for which Plaintiffs seek Defendants' positions on authenticity and foundation for admissibility at trial as set forth below in the proposed schedule:

February 14, 2014

Plaintiffs identify those documents that Plaintiffs request Defendants admit are: (1) authentic; (2) qualify as Records of Regularly Conducted Activity (F.R.Evid. 803(6)); (3) are Statements of an Opposing Party (F.R.Evid. 801(d)(2)(A-D)); or (4) Statements made by an Opposing Party's coconspirator during and in furtherance of the conspiracy (F.R.Evid. 801(d)(2)(E)). Plaintiffs will provide a list of such documents, copies of the documents and any F.R.Evid. 902(11) and (12) certifications that Plaintiffs wish Defendants to consider ("Phase I").

Plaintiffs' identification of such documents is without prejudice to their right to supplement their Phase I list or to identify trial exhibits pursuant to a schedule approved by the Court. Plaintiffs also reserve the right to seek admission of trial exhibits on all other grounds.

William R. Sherman
September 13, 2013
Page 2

March 28, 2014

Each Defendant identifies each document for which it will not challenge: (1) its authenticity; and (2) its business record foundation; (3) it being a Statement of an Opposing Party (F.R.Evid. 801(d)(2)(A-D)); or (4) it being a statement by an Opposing Party's coconspirator during and in furtherance of the conspiracy. (F.R.Evid. 801(d)(2)(E)). A Defendant's lack of challenge to any of the foregoing categories is not a waiver of any other evidentiary objections or any other defense.

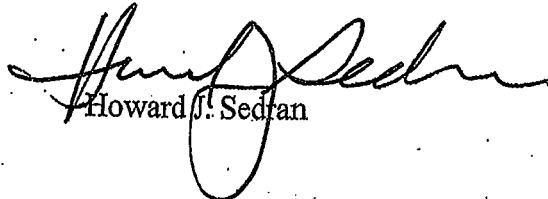
April 14, 2014 – July 18, 2014

Plaintiffs complete depositions limited to: authenticity; business record foundation; and whether a document is a statement by a party opponent where Defendants have preserved such objections.

Plaintiffs are willing to entertain a reciprocal proposal from Defendants with respect to documents they may wish to use as trial exhibits.

We look forward to hearing from you.

Very truly yours,


Howard J. Sedran

/kl
cc: Plaintiffs' Counsel

Krys Longacre

From: Krys Longacre
Sent: Wednesday, October 02, 2013 11:19 AM
To: Hollis Salzman (hsalzman@rkmc.com); 'rkaplan@kaplanfox.com'; 'gspecks@kaplanfox.com'; 'mhausfeld@hausfeldllp.com'; Austin Cohen; Keith Verrier; 'ekatcher@kaplanfox.com'; 'blandau@hausfeldllp.com'; 'hscherrer@hausfeldllp.com'; 'mcoolidge@hausfeldllp.com'; 'GAsciolla@labaton.com'; 'jhimes@labaton.com'; 'mfhollywood@rkmc.com'; 'garensen@kaplanfox.com'
Cc: Howard Sedran
Subject: FW: Air Cargo (email from Howard Sedran)

From: William.Sherman@lw.com [mailto:William.Sherman@lw.com]
Sent: Tuesday, October 01, 2013 9:57 PM
To: Krys Longacre
Subject: RE: Air Cargo (email from Howard Sedran)

Thanks, Howard. I have raised this with the defendants and will now circle back to get you a response. -Bill

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